



EFH

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/602,826

Filing Date

June 25, 2003

First Named Inventor

Takaaki KUBODERA

Art Unit

3749

Examiner Name

J. Lu

Attorney Docket Number

279222001000

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/
Incomplete Application

☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication
to TC

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please
Identify below):

Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

MORRISON & FOERSTER LLP

Signature

Printed name

Barry E. Bretschneider

Date

February 23, 2006

Reg. No.

28,055



PATENT
Docket No. 279222001000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Takaaki KUBODERA et al.

Serial No.: 10/602,826

Filing Date: June 25, 2003

For: METHOD AND DEVICE FOR DYEING
LENSES

Examiner: Jiping Lu

Group Art Unit: 3749

RESPONSE UNDER 37 CFR 1.111

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Action mailed February 8, 2006, please reconsider this application in light of the following Remarks:

REMARKS

The pending Action issued pursuant to the withdrawal of this application from issue. In the decision withdrawing this application from issue, the Director of Technology Center 3700 stated that "[t]he application is being withdrawn from issue to permit reopening of prosecution, due to newly discovered prior art." Needless to say, when applicants received the pending Action, they were flabbergasted to learn that the Examiner was citing no "newly discovered prior art" at all and instead reinstated one old rejection applicants had previously overcome and added a new rejection based on prior art previously of record. Under the circumstances, applicants are entitled to know what prior art the Director of Technology Center 3700 had in mind when he